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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/820,152

03/28/2001

Mohammed Nafie

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3960

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01/25/2006

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EXAMINER

BOAKYE, ALEXANDER O

ART UNIT

PAPER NUMBER

2667

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/820,152

Applicant(s)

NAFIE ET AL.

Examiner

ALEXANDER BOAKYE

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7 and 9 is/are allowed.
- 6) ☒ Claim(s) 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. Final rejection of office action mailed on 05/31/2005 has been withdrawn.

Prosecution of the case has been reopened since claim 8 has been rejected.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 8 is rejected under 35 U.S.C. 102(b) as being anticipated by McGirr et al. (US Patent # 5,129,098).

Regarding claim 8, McGirr teaches a wireless communication system (10 of Fig. 1 is a radio telephone which is a wireless system as evidenced by McGirr) comprising: (a) a master Transceiver for a communication channel (the claimed master transceiver corresponds to 14 of Fig. 1 ; column 3, lines 46-48); (b) a slave transceiver for the communication channel (column 4, lines 18-23; the claimed slave transceiver reads on antenna system 38 of Fig.1 since antenna system 38 is used for transmitting and receiving communication signals broadcast from the base station); (c) wherein the master transmits (master slave 14 of FIG. 1 transmits to the slave block 38 of Fig.1 using transmitter 26 as evidenced by McGirr) to the slave using estimates for the

communication channel calculated from measurements of the communication channel for transmission received from slave together with calibration factors from prior measurements of the communication channel by the slave and the master (column 7, lines 2-9).

Allowable Subject Matter

3. Claims 1-7 and 9 are allowable.

The following is a statement of reasons for the indication of allowable subject matter: As to claims 1-7, the prior art of record does not teach transmitting a third packet on the transmission channel to the transceiver, estimating the transmission channel to the transceiver from the calibration factors and a second measurement of the transmission channel from the transceiver. As to claim 9, the prior art of record does not teach wherein the channel estimator estimates the channel to the transceiver from measurements of the channel from the transceiver together with calibration factors from channel information received from the transceiver.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (571) 272-3183. The examiner can normally be reached on M-F from 8:30am to 6:00pm. If

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attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (571) 272-3179. The Fax number is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Electronic Business Center numbers 866-217-9197 and 703-305-3028.

Alexander Boakye

Patent Examiner

AB

01/21/06


CHI PHAM
SUPERVISORY PATENT EXAMINER
1/23/06